

## **May a golf cart be driven on a city street?**

Yes, if allowed by city ordinance and in other, very limited circumstances. Three sections of two Texas Transportation Code provisions govern whether a golf cart may be driven on a city street:

1. a golf cart may be driven on a street if the street is: (1) in a master planned community that meets certain conditions; (2) on a golf course; or (3) on a public or private beach. TEX. TRANSP. CODE § 551.403(a); Because state law provides no definition of “master planned community”, and the Attorney General declined to define the term in Texas Attorney General Opinion GA-0966, each city will likely have to look at its own definition of master planned community within its subdivision and zoning regulations; **Not Applicable for Clear Lake Shores**
2. a golf cart may also be driven on a city street that has a posted speed limit of 35 miles per hour or less if the golf cart is operated to and from a golf course during the daytime and no more than two miles from the place where the golf cart is usually parked. Id.; the Attorney General also added that the purpose of driving the golf cart on public streets under this subsection must be to transport a person to and from the golf course under GA-0966; and/or **Not Applicable for Clear Lake Shores**
3. a city council may, by ordinance, authorize a golf cart to be operated on any street in the city that has a posted speed limit of not more than 35 miles per hour, so long as the golf cart has special safety equipment, including headlamps, tail lamps, reflectors, parking brakes, and mirrors. Id. § 551.404.

In addition, a golf cart may be driven across an intersection of any street if the cart is being lawfully operated under one of the provisions above. Id. § 551.405. Under a provision adopted in 2013, the Texas Department of Transportation can now offer license plates to golf carts that are driven on public streets as described above. Id. § 551.402.

## **May a city completely prohibit the use of golf carts on its streets?**

Yes, if the city council determines that the prohibition is necessary in the interest of safety. Id. 551.403.

## **Must an owner have liability insurance to drive a golf cart on city streets?**

An owner must have liability insurance, the same as for a car, if his cart is driven on a city street pursuant to a city ordinance that authorizes the cart to be operated on any street in the city that has a posted speed limit of not more than 35 miles per hour under Transportation Code Section 551.404. Insurance is not required if the cart is driven pursuant to the state law exceptions allowing its use: (1) in a master planned community that meets certain conditions; (2) on a golf course; (3) on a public or private beach; or (4) on a city street that has a posted speed limit of 35 miles per hour or less if the golf cart is operated to and from a golf course during the daytime and no more than two miles from the place where the golf cart is usually parked. ((1) – (4) are the limited uses allowed by Section 551.403.) TEX. TRANSP. CODE § 601.052.

## **Should a golf cart have a license plate?**

While it is not required, the Texas Department of Motor Vehicles issues license plates to golf carts under a bill passed in 2013. TEX. TRANSP. CODE § 551.402.

## **Must a golf cart have certain equipment if it is driven on city streets?**

Yes. A golf cart must have headlamps, tail lamps, reflectors, a parking brake, mirrors, and a slow-moving vehicle emblem to drive on any city street. Id. §§ 547.703; 551.404.

## **How is a “golf cart” defined?**

The Texas Department of Motor Vehicles defines a golf cart as a vehicle that has no less than three wheels, has a normal maximum speed of between 15-25 mph, and is manufactured primarily for operation on golf courses.

[http://www.txdmv.gov/vehicles/drivers/golf\\_carts.htm](http://www.txdmv.gov/vehicles/drivers/golf_carts.htm)

## **Must a golf cart follow the rules of the road under the transportation code?**

Golf carts should not be confused with Neighborhood Electric Vehicles (NEVs). The Federal Motor Vehicle Safety Standard requires that NEVs be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rear view mirrors, windshields, seat belts, and vehicle identification numbers. Based on a bill passed in 2013, section 551.304 of the Texas Transportation Code allows NEVs to drive in similar areas to where golf carts may drive. This includes in master planned communities, on public and private beaches, and on a public highway where the speed limit is 35 mph or less and within two miles of a golf course. An NEV must have liability insurance if it is driven on public streets. TEX. TRANSP. CODE § 601.052. NEVs are larger than golf carts, but smaller than most passenger vehicles. In any case, the law governing NEVs is separate from the law governing golf carts.

## **What is an “all-terrain vehicle” and can one be driven on city streets?**

An all-terrain vehicle (ATV) is a motor vehicle with a seat or seats, three or more tires, not designed by the manufacturer primarily for farming or lawn care; and that is not more than 50 inches wide. TEX. TRANSP. CODE § 502.001. An ATV generally can only be driven on a public street if:

- (1) the street is not an interstate or limited-access highway;
- (2) the transportation is associated with an agricultural or utility use;
- (3) the vehicle has a triangular orange flag;
- (4) the vehicle has headlights and taillights;
- (5) the driver has a driver's license;
- (6) the vehicle is operated during the day; and
- (7) the driving does not exceed a total distance of 25 miles from beginning to end.

Id. § 663.037. An ATV may also be driven on some beaches that are open to the public so long as the driver has a driver's license. Id. § 663.0371.

For more information on the statutes and rules regarding golf carts and neighborhood electric vehicles, visit the Texas Department of Motor Vehicle's Web site at

[http://www.txdmv.gov/vehicles/drivers/golf\\_carts.htm](http://www.txdmv.gov/vehicles/drivers/golf_carts.htm)